

S/N 10/649,468

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Andrew P. Kramer et al.	Examiner:	Carl H. Layno
Serial No.:	10/649,468	Group Art Unit:	3762
Filed:	August 27, 2003	Docket:	279.313US2
Title:	APPARATUS AND METHOD FOR REVERSAL OF MYOCARDIAL REMODELING WITH ELECTRICAL STIMULATION		

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

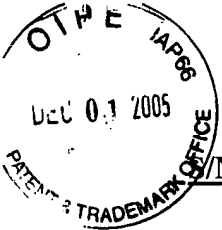
MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants hereby authorize the Commissioner to charge the fee of \$180.00, as set forth in 37 C.F.R. §1.17(p), to Deposit Account No. 19-0743.

12/02/2005 EHAILE1 00000011 190743 10649468

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**COMMUNICATION CONCERNING RELATED APPLICATIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date/Issue Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/544,363 6,640,135	April 6, 2000	279.194US1	APPARATUS AND METHOD FOR SPATIALLY AND TEMPORALLY DISTRIBUTING CARDIAC ELECTRICAL STIMULATION
09/844,256 6,628,988	April 27, 2001	279.313US1	APPARATUS AND METHOD FOR REVERSAL OF MYOCARDIAL REMODELING WITH ELECTRICAL STIMULATION
10/005,184 6,973,349	December 5, 2001	279.365US1	METHOD AND APPARATUS FOR MINIMIZING POST-INFARCT VENTRICULAR REMODELING
10/071,875 6,915,160	February 8, 2002	279.433US1	DYNAMICALLY OPTIMIZED MULTISITE CARDIAC RESYNCHRONIZATION DEVICE
10/634,232	August 5, 2003	279.194US2	APPARATUS AND METHOD FOR SPATIALLY AND TEMPORALLY DISTRIBUTING CARDIAC ELECTRICAL STIMULATION
11/135,191	May 23, 2005	279.433US2	DYNAMICALLY OPTIMIZED MULTISITE CARDIAC RESYNCHRONIZATION DEVICE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/649,468

Filing Date: August 27, 2003

Title: APPARATUS AND METHOD FOR REVERSAL OF MYOCARDIAL REMODELING WITH ELECTRICAL STIMULATION

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Dkt: 279.313US2

Continuations and divisionals may be later filed on the cases listed above, or cited to the Examiner in any previous Communication Concerning Related Applications. Applicants request that the Examiner review all continuations and divisionals of the above-listed or previously-cited patent applications before allowing the claims of the present patent application.

Respectfully submitted,

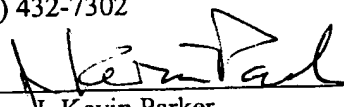
ANDREW P. KRAMER ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(847) 432-7302

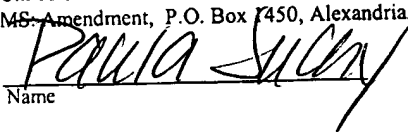
Date 11-29-05

By

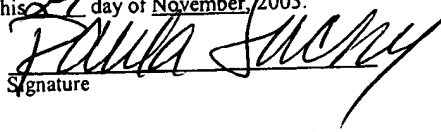
  
J. Kevin Parker  
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, MS-A Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of November, 2005.

Name



Signature



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Serial No : 10/649,468

Filing Date: August 27, 2003

Title: APPARATUS AND METHOD FOR REVERSAL OF MYOCARDIAL REMODELING WITH ELECTRICAL STIMULATION

Page 2  
Dkt: 279.313US2

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

ANDREW P. KRAMER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(847) 432-7302

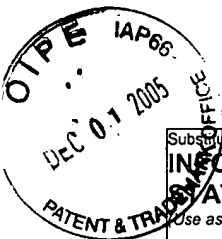
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Complete if Known

Application Number	10/649,468
Filing Date	August 27, 2003
First Named Inventor	Kramer, Andrew
Group Art Unit	3762
Examiner Name	Layno, Carl

Sheet 1 of 2

Attorney Docket No: 279.313US2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2002/0002389A1	01/03/2002	Bradley, Kerry , et al.	05/14/2001
	US-2002/0115081A1	08/22/2002	Lee, R. T., et al.	08/21/2001
	US-2003/0023278A1	01/30/2003	Pastore, J. M., et al.	07/25/2001
	US-2003/0105493A1	06/05/2003	Salo, Rodney W.	12/05/2001
	US-2004/0030357A1	02/12/2004	Salo, Rodney W., et al.	08/05/2003
	US-2004/0054381A1	03/18/2004	Pastore, Joseph M., et al.	09/13/2002
	US-4,872,459	10/10/1989	Pless, Benjamin D., et al.	05/27/1988
	US-4,880,005	11/14/1989	Pless, Benjamin D., et al.	05/23/1988
	US-5,014,698	05/14/1991	Cohen, T. J.	10/02/1989
	US-5,109,842	05/05/1992	Adinolfi, D. W.	09/24/1990
	US-5,158,079	10/27/1992	Adams, J. M., et al.	02/25/1991
	US-5,534,016	07/09/1996	Boute, W.	02/21/1995
	US-5,683,429	11/04/1997	Mehra, R.	04/30/1996
	US-5,824,019	10/20/1998	Rueter, J. C., et al.	10/11/1996
	US-5,851,226	12/22/1998	Skubitz, F. L., et al.	10/22/1996
	US-6,038,483	03/14/2000	KenKnight, Bruce H., et al.	02/02/1999
	US-6,058,329	05/02/2000	Salo, R. W., et al.	05/07/1999
	US-6,066,094	05/23/2000	Ben-Haim, S.	01/09/1998
	US-6,112,117	08/29/2000	KenKnight, B. H., et al.	05/06/1997
	US-6,151,524	11/21/2000	Krig, David B., et al.	08/18/1999
	US-6,152,955	11/28/2000	KenKnight, B. H., et al.	01/29/1999
	US-6,418,343	07/09/2002	Zhang, G. , et al.	10/01/1999
	US-6,574,506	06/03/2003	Kramer, A. P., et al.	12/26/2000
	US-6,628,988	09/30/2003	Kramer, Andrew P., et al.	04/27/2001
	US-6,915,160	07/05/2005	Auricchio, A. , et al.	02/08/2002
	US-6,973,349	12/06/2005	Salo, R. W.	12/05/2001

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T <sup>2</sup>
	WO-01/76689	10/18/2001	Salo, R. W., et al.	
	WO-99/10042	03/04/1999	Levine, P. A., et al.	

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		REITER, MICHAEL J., et al., "Electrophysiological Effects of Acute Dilatation in the Isolated Rabbit Heart", <u>Circulation</u> , Vol.96, No. 11, (December 2, 1997),4050-4056	

**EXAMINER**

**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/649,468
<b>Filing Date</b>	August 27, 2003
<b>First Named Inventor</b>	Kramer, Andrew
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	Layno, Carl

Sheet 2 of 2

Attorney Docket No: 279.313US2

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		WATANABE, MICHIKO , et al., "Developmental Remodeling and Shortening of Cardiac Outflow Tract Involves Myocyte Programmed Cell Death", <u>Development</u> , 125 (19), (1998), 3809-3820	

**EXAMINER****DATE CONSIDERED**

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PTO/SB/08A(10-01)

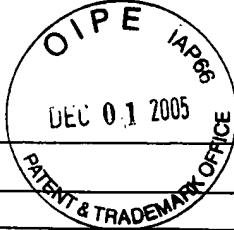
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STATEMENT BY APPLICANT**

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Sheet 1 of 2

Complete if Known

Application Number	Unknown
Filing Date	Even Date Herewith
First Named Inventor	Kramer, Andrew
Group Art Unit	Unknown
Examiner Name	Layno, Carl

Attorney Docket No: 279.313US2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2002/0082647	06/27/2002	Alfemess, C., et al.	607	9	12/22/2000
	US-4,354,497	10/19/1982	Kahn, Alan R.	128	419	05/23/1977
	US-4,549,548	10/29/1985	Wittkamp, F., et al.	128	419 PG	09/14/1983
	US-4,554,922	11/26/1985	Prystowsky, E., et al.	128	419	09/30/1982
	US-4,628,934	12/16/1986	Pohndorf, P.J., et al.			
	US-4,674,518	06/23/1987	Salo, R. W.	128	695	09/06/1985
	US-4,928,688	05/29/1990	Mower, M. M.	128	419 PG	01/23/1989
	US-5,058,605	10/22/1991	Slovak, P.			
	US-5,156,149	10/20/1992	Hudrlik, T. R.	128	419 PG	01/30/1992
	US-5,174,289	12/29/1992	Cohen, Fred M.	128	419	09/07/1990
	US-5,233,985	08/10/1993	Hudrlik, T. R.	607	27	07/15/1991
	US-5,267,560	12/07/1993	Cohen, Fred M.	607	25	12/28/1992
	US-5,370,665	12/06/1994	Hudrlik, T. R.	607	9	02/19/1993
	US-5,514,161	05/07/1996	Limousin, Marcel	607	9	04/04/1995
	US-5,584,867	12/17/1996	Limousin, M., et al.	607	9	04/04/1995
	US-5,674,259	10/07/1997	Gray, N. D.	607	20	10/20/1993
	US-5,792,203	08/11/1998	Schroeppel, E. A.	607	30	08/18/1997
	US-5,797,970	08/25/1998	Pouvreau, Yves	607	9	09/04/1996
	US-5,935,160	08/10/1999	Auricchio, , et al.	607	122	01/24/1997
	US-5,995,870	11/30/1999	Cazeau, S. , et al.	607	9	03/06/1998

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Application Number	Unknown
Filing Date	Even Date Herewith
First Named Inventor	Kramer, Andrew
Group Art Unit	Unknown
Examiner Name	Layno, Carl

Sheet 2 of 2

Attorney Docket No: 279.313US2

	US-5,995,871	11/30/1999	Knisley, Stephen B.	607	15	10/29/1997
	US-6,223,082	04/24/2001	Bakels, A., et al.	607	17	01/28/2000
	US-6,314,322	11/06/2001	Rosenberg, M	607	17	03/02/1998
	US-6,363,279	03/26/2002	Ben-Haim, S., et al.	607	9	05/01/2000
	US-6,556,872	04/29/2003	Hauck, J A.	607	62	12/05/2000

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
	EP-0522693	01/13/1993	Gilli, Norma L.	A61N	1/39	
	WO-00/09206	02/24/2000	Mehra, Rahul , et al.	A61N	1/362	

**OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BRAUNWALD, NINA S., et al., "Sustained Paired Electrical Stimuli; Slowing of the Ventricular Rate and Augmentation of Contractile Force", <u>American Journal of Cardiology</u> , 14, (1964), pp. 285 & 385-393	
		SABBAH, HANI N., et al., "Delivery of Non-Excitatory Contractility-Modulation Electric Signals Improve Left Ventricular Performance in Dogs with Heart Failure", <u>Circulation, Supplement 1</u> , 100 (18), Abstract No. 631, (Nov. 2, 1999), pp. I-122	

EXAMINER

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